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MAIL STOP : Appeal

FROM : Gregory S. Smith

EXAMINER : VAUGHN Jr. William C

Faxing DATE: October 21, 2004

FACSIMILE : (703) 872-9306

LAVA GROUP FILE #: 09001.1001

SUBJECT: Application Serial No 09/547,710 Filed April 11, 2000

This Transmission Includes the Following Items

Item being transmitted	Pages
<input checked="" type="checkbox"/> Notice of Appeal	1
<input checked="" type="checkbox"/> Request for extension of time	2
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COMMENTS:

TWO RAVINIA DRIVE, SUITE 790
ATLANTA, GEORGIA 30346

TELEPHONE: 770-804-9070
FACSIMILE: 770-804-0900

MOBILE: 404-643-3430
EMAIL: gsmith@lavagroup.net

PTO/SB/31 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 09001.1001	
I hereby certify that this correspondence is being delivered by facsimile transmission on <u>December 21, 2004</u> Signature <u>[Signature]</u> Typed or printed name <u>Gregory S. Smith</u>		In re Application of JOHNSON, Sam	
		Application Number 09/547,710	Filed April 11, 2000
		FOR A SYSTEM FOR AND METHOD OF IMPLEMENTING A CLOSED LOOP RESPONSE ARCHITECTURE FOR ELECTRONIC COMMERCE	
		Art Unit 2143	Examiner VAUGHN, William C.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 250.00

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____ I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record. Registration number 40,819

☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____

[Signature]
 Gregory Scott Smith

 Typed or printed name
 (770) 804-9070

 Telephone number
 December 21, 2004

 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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